

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

Bocchi Americas Associates, Inc.

Plaintiff,

v.

Commerce Fresh Marketing Inc.;
Diran A. Elsaifi

Defendants.

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CIVIL ACTION NO. H-04-02411

FINAL JUDGMENT

On November 16, 2004, the parties consented to proceed before a United States magistrate judge, pursuant to 28 U.S.C. § 636(c), for all further proceedings, including trial and entry of final judgment. (Docket Entry #16).

It is ORDERED that a judgment be entered on behalf Bocchi Americas Associates, Inc., against Commerce Fresh Marketing, Inc., in the amount of \$123,000.00, plus pre-judgment interest at the rate of 5%, and post judgment interest at the rate of 4.9%. Bocchi is awarded attorney's fees in the amount of \$38,400.00, and \$7,500.00 in the event of an appeal.

Accordingly, it is ORDERED that this cause is DISMISSED with prejudice. This is a FINAL JUDGMENT.

The Clerk of the Court shall enter this final judgment and provide a true copy to all counsel of record.

SIGNED at Houston, Texas, this 6th day of October 2006.



**MARY MILLOY
UNITED STATES MAGISTRATE JUDGE**